103rd Council Meeting

Saturday 3rdth February 2007
10.30am – 15.00pm
Enterprise House, Springkerse Business Park, Stirling

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Scottish Association of Children's Panels

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103.1 Sederunt and Apologies

M. Easton (Highland), A.Philp(Aberdeen City), M. Fawcett (Aberdeenshire), B. McGugan (Inverclyde), S. McMenemy (N.Ayrshire), A. Lee (W. Dumbartonshire), B.Burke (Midlothian), L.Benton – (N.Lanarkshire), Roger Graham, (Dundee), G.Adamson (Borders), G.Reoch (Glasgow 5), M.Gaughan (Glasgow 4), J.Noble (Argyll & Bute), D.Stalker (Chairman's Rep).
Apologies: A. McGroarty (Glasgow 3), M. Stenhouse (Clackmannanshire), S.Panton (S.Lanarkshire), W.Milne (Angus), P.Maynard (Dumfries & Galloway), Angus MacLeod (Western Isles).
If you cannot attend, please try and arrange for someone else to come from your area in your place.

103.2 Guest speaker:- Spoke about her experiences with her son's Asperger's condition, which proved highly informative for PM's when dealing with such children at Hearings. (Separate report to follow).

103.3 Minutes of Previous Meetings

102nd Council Meeting:- Proposer: Susan McMenemy, Seconded: Aileen Philp.

103.4 Matters Arising and correspondence

Unallocated Cases –Margaret has had a mixed response from Local Authorities on the number of cases where there is no allocated Social Worker. Ongoing.

Tom Philibin, Director of Reporter Operations, Alison Wright, head of Practice have asked for a meeting with the SACP to discuss the items raised in previous correspondence.

- Clarification on whether it is legally acceptable to carry on with a hearing if there was no Social Background Report available. Discussion took place on whether a hearing should be held at all, but it was pointed that a hearing may still be required to consider a child's safety. Hopefully, we can get clear direction on this.
- Strictly speaking a relevant person cannot be asked to leave the hearing room if the child is not present, as they cannot be 'upsetting the child'. However, if the relevant person is causing considerable disruption, it may be appropriate.
- Closure of Hearing Rooms.

Time off to attend hearings – Gordon Watt replied to our letter, but it did not really clarify the situation. Margaret to wrote a letter to Gordon Watt to follow-up on this point to get more details and specific guidance. Gordon Watt has advised, we will receive a reply soon, from somebody who is due back from absence.

Disputes and appeals with CPAC.
There have been some enquiries from Panel members about the procedure to appeal decisions. There should be a complaints procedure which includes an appeals procedure for disputes between CPAC and Panel members. Margaret to write to SEED to suggest this is required. Some areas do have a clear Appeals procedure, e.g. North Ayrshire.

103.5 Chairman's Report

Children Law UK. Next meeting has not been scheduled and they are discussing collaboration with other organisation which will assist with funding. Ann advised of two Child Law UK conferences which were available. Ann has accepted an invite to the CPAC Seminar in Aviemore on 13th – 14th April. Chairman, Secretary, Press Secretary, Conference Secretary, and the Treasurer should prepare their reports for this publication as soon as possible.

103.6 Membership Secretary report

A formal request has now been made to areas where there is no SACP representative under the Freedom of Information Act for the names and addresses of all panel members in those areas to be released. The reasons for this request is that
1) It states clearly in the Children (Scotland) Act that **names** and **addresses** shall be published and open for inspection.
2)The SACP is sanctioned and funded by the Scottish Executive and is made up of panel members.
3)The Scottish Executive advised the SACP to contact local authority clerks to ge the names and addresses that we needed.

Under the Freedom of Information Act a reply is required within 20 working days.

In all the areas where the SACP has made direct contact with panel members we either have a representative or a panel member has expressed interest in becoming a representative.

103.7 Treasurer's Report

The financial position is satisfactory just now to perform our duties. St Andrews University have now submitted their invoice for the National School. Items required to be purchased;

Annual Report	3000 copies

Information Leaflet	5000 copies
Business Cards	1000 copies
Letter header paper	5000 copies (include website details)
Compliment Slips	5000 copies
Printer cartridges	2 each.
Promotional items, e.g. pens	

31st March is the cutoff date for any expense claims.

103.8 Business Plan

Ann to contact the Lennox Partnership to assist with next years Business Plan.

103.9 Issues raised by Panel Members

Should name tags be displayed on the table at hearings – some professionals (teachers, etc.) feel it would be beneficial if names are clear for everyone to see. Dundee have this, but they are the only area. No problems encountered. Mary to feedback to her area. No action required from anyone else.

A Panel Member had been attacked at a hearing. They had difficulty getting counselling for this. Also, do they have access to legal advice? All areas to go back and ask if such services are available to them? Clarification required from SEED.

Insurance – are Panel Members covered for incidents relating to panel duties, e.g. criminal injuries, car vandalism, loss of earnings, etc? Clarification required from SEED.

103.10 Conference Reports and future events

SACP members to consider what conferences they want to attend, and apply for funding approval through Linda Benton. If there is no SACP Rep available, a panel member could attend on behalf of the SACP. A report on the conference must be provided. Margaret Easton will attend an upcoming conference on Alcohol & Violence.

103.11 Press Secretary's Report and Website update

Everyone to send Haydn Gleed permission to get e-mails sent from the website. The website is functional and any outstanding reports or information they have should be supplied to Margaret Easton or George Reoch for review prior to inclusion on the site. www.sacp.org.uk

103.12 Consultation

GIRFEC consultation response is required by 31st March 2007. It was agreed to hold another meeting on Saturday 10th March, venue to be advised, to discuss this in more detail. Everyone to prepare a response and bring to this meeting or pass on to someone who will be at this meeting.

There will be roadshows in all areas to communicate the proposals. Contact your Local Authority Head of Service to check if there is something organised in your area. As many panel members as possible should input their opinions.
GIRFEC Draft Bill proposal, Page 31 – support for panel members – discussing with COSLA and other key stakeholders. SACP should try to get a place on this committee.

103.13 Pre-service pack

A pack has been created and will be distributed to new panel members via the training team.

103.16 AOCB

AGM – 9th June 2007 - Dundee – Roger to check venue's and costs.

Rehabilitation of Offenders Act – There was further discussion on this and information will be provided to inform panel members of the consequences for young people accepting grounds. (see Appendix A).

Positive Chairing – some hints and tips were provide which will be circulated to SACP Reps if they want to use them.

Intensive Support Mechanism (ISM) in place in some pilot areas. These allow curfews to be put in place and even tagging in some instances. -15% reduction repeat offending in Dundee – ISM Pilot versus the national trend +15%.

Secure accommodation was discussed. It should be remembered that this is considered a last resort, but it is for the protection of the child and/or for the protection of the public.

103.17 Key points for Feedback.

All SACP Reps to ask for input from their areas - points to be raised, questions, best practice for the next meeting?
Membership progress and Website.
Meeting with SCRA and inviting SEED to discuss points raised above, i.e. appeals, counselling, Insurance, Legal Advice, Time Off for hearings, etc.
Panel members can attend conferences on behalf of the SACP if no SACP rep available (a report must be produced and submitted).
Local Authorities holding sessions to discuss feedback on GIRFEC consultation. As many panel members as possible to attend this to provide their views.
ISM's Pilot and progress -15% reduction repeat offending in Dundee related to the ISM Pilot versus the national trend +15%.
Ask if the issue of not getting time off to attend hearings is a widespread problem?
Unallocated cases – to be followed up.
Clarification on appeals process to be sought.

Summary of Actions

Margaret to collate input from individual Local Authorities on number of cases where there is no allocated Social Worker.

Margaret to follow-up with SCRA on whether it is legally acceptable to carry on with a hearing if there was no Social Background Report.

Margaret has written to SCRA in support of the panel members concerns with the closure of local hearing rooms in Midlothian. To be discussed at a follow-on meeting with SCRA.

Time off to attend hearings – Gordon Watt replied to our letter, but it did not really clarify the situation. Awaiting a reply from a person due back from absence.

Date of next meeting:-

Saturday 10th March 2007, 10.30 am., Stirling (venue to be confirmed) – subject: GIRFEC Draft Bill consultation response.

Saturday 21st April 2007, 10.30 am., Stirling (venue to be confirmed).

AGM : 9th June 2007, Dundee (to be confirmed)

Appendix A

Rehabilitation of Offenders Act 1974
YOUNG PEOPLE

1) If found guilty by the Court but referred to the Children's Panel for disposal, or at a Children's Panel the grounds for referral are accepted and include a criminal offence the rehabilitation period is 6 months from the Panel appearance.

2) If found guilty by a Court but referred to the Children's Panel for disposal, or at a Children's Panel the grounds for referral are accepted and include a criminal offence. If the Panel's decision is a Supervision Order then the rehabilitation period is 1 year or until Supervision Order ends, whichever is the longest.

3) If found guilty by a Court and dealt with by Court then the normal rehabilitation period applies (see page 1 & 2). This can happen if,

a) The crime is in the very serious category eg. Murder, Armed Assault etc.

b) The crime is committed when child is 15 years but not dealt with until they are 16 years.

c) The child is 16 years and on a Supervision Order but the Procurator Fiscal and Children's Panel Reporter agree the court should deal with charges.

http://www.apexscotland.org.uk/rehabact_extended.pdf